

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

SUSAN LEIGH SMITH

PLAINTIFF

V.

NO: 4:21CV158-M-DAS

**CIRCUIT COURT OF GRENADA
COUNTY, MS and CITY OF
COVINGTON, TN POLICE
DEPARTMENT**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation [11] entered by United States Magistrate Judge David Sanders. The plaintiff, Susan Leigh Smith, did not file an objection. After reviewing the Report and Recommendation, the record in this matter, and the applicable law, the Court finds that the Report and Recommendation should be adopted as the opinion of this Court and that Smith's lawsuit should be dismissed.

Discussion

Smith claims that she was improperly arrested by the Covington, Tennessee Police Department and needlessly tasered. Smith also alleges that previous convictions in both Tennessee and Mississippi were improper.

Judge Sanders recommends that this lawsuit be dismissed because this Court lacks jurisdiction over the City of Covington, Tennessee Police Department, and the claims against the Circuit Court of Grenada County, Mississippi are beyond the jurisdiction of this Court. Magistrate Judge Sanders states that the "plaintiff has not alleged any action with the state of Mississippi that would allow for the exercise of jurisdiction under Mississippi's Long Arm Statute." [11]. Magistrate Judge Sanders also states that while it does not appear that plaintiff is seeking money damages for her allegedly improper convictions, plaintiff Smith has attached numerous papers to

her complaint about previous attempts to have state court convictions overturned. “Expungement of state felony convictions is governed by state law ... and Smith should seek this relief from the state courts.” [11].

Where no party has objected to the Magistrate Judge’s report and recommendation, the Court need not conduct a de novo review of it. See 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made.”) In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (citing Fed. R. Civ. P. 72(b) advisory committee’s notes). The Court has conducted the required review and finds that Magistrate Judge David Sanders’ Report and Recommendation is neither clearly erroneous nor contrary to law.

Conclusion

ACCORDINGLY, it is **ORDERED** that the Report and Recommendation [11] entered by United States Magistrate Judge David Sanders is **ADOPTED** as the opinion of the Court. This lawsuit is hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED AND ADJUDGED this the 1st day of March, 2022.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI